

UNITED STATES OF AMERICA  
 NATIONAL TRANSPORTATION SAFETY BOARD  
 OFFICE OF ADMINISTRATIVE LAW JUDGES

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Investigation of:

MV ETHAN ALLEN,  
 LAKE GEORGE, NEW YORK,  
 OCTOBER 2, 2005

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\* Docket No.: DCA 06 MM 001

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Interview of: CAROLE A. MAHALAK

National Transportation Safety Board  
 490 L'Enfant Plaza East, S.W.  
 Washington, D.C. 20594

Tuesday,  
 October 11, 2005

The above-captioned matter convened, pursuant to  
 notice, via telephone, at 10:03 a.m.

BEFORE: MARIETTE BURER

## APPEARANCES:

MARIETTE BURER

National Transportation Safety Board

MAJ. STEVE RIVENBURGH

New York State Park Police

I N D E X

| <u>ITEM</u>                  | <u>PAGE</u> |
|------------------------------|-------------|
| Interview of Carole Mahalak: |             |
| By Ms. Burer                 | 4           |
| By Maj. Rivenburgh           | 16          |

P R O C E E D I N G S

(10:03 a.m.)

MS. BURER: My name Mariette Burer, B-u-r-e-r. I'm with the National Transportation Safety Board. I have with me --

MR. RIVENBURGH: Steve Rivenburgh, New York State Park Police.

MS. BURER: And go ahead and introduce yourself.

MS. MAHALAK: My name is Carole A. Mahalak from Livonia -- Howell, Michigan.

MS. BURER: Okay.

MS. MAHALAK: Another of the survivors from the Ethan Allen boat accident.

INTERVIEW OF CAROLE A. MAHALAK

BY MS. BURER:

Q. Right. And today is October the 11th, 2005 and it is approximately three minutes after ten o'clock in the morning. Ms. Mahalak, would you be able to tell us your story in your own words of your -- what happened October, Sunday, October 2nd?

A. I can tell my story. I have been trying to talk about it and it comes right back into motion. We boarded the boat as we were scheduled, approximately 2:30 on a Sunday. Afternoon. My husband and I were four of the last people to go on board. The two that were with us chose not to go. They

1 stayed on shore and decided not to go. They thought it was a  
2 bit crowded. There was not a place for my husband I to sit  
3 together. So because of my smaller size than he, someone  
4 hollered out, Carole, go to the bow of the boat. There's a  
5 seat up in the front. My husband stayed in the middle on the  
6 right-hand side. I sat in the bow of the boat with my back  
7 against the rail. There's Plexiglas where the windows were.  
8 There were other people sitting up there. To my right was a  
9 tiny little lady. She was our tour guide. She's a very tiny,  
10 small-in-stature woman. And during our ride it was smooth, it  
11 was magnificent, is was sunshine and beautiful, no wind.  
12 Everybody was happy. It could not have been more of a perfect  
13 day, visually.

14           The captain of the boat started right off,  
15 acknowledging what we were all feeling, that the sky was  
16 beautiful, there was no wind, it wasn't rough waters, it was  
17 smooth. He even said, what a beautiful day we've got for this  
18 boat ride, and he started right in, not navigating, but talking  
19 into his microphone, giving us all kinds of magnificent  
20 information about what we were seeing and where we were,  
21 because none of us had ever been there before, to my knowledge.

22           We were talking amongst ourselves and there was a lot  
23 of, a lot of excitement with talking, but nobody was moving  
24 around. We were very compact. At my seating, I had a very  
25 large lady on my right, and then to my immediate right was this

1 tiny little woman, and on my left were other people that I was  
2 familiar with. My very first inkling, my very first inkling  
3 that there was anything unusual happening is when the tiny  
4 little lady to my right literally catapulted out of her seat.  
5 Her toes were pointed and her body shot out from our seat. She  
6 was like a little bullet. She didn't go far, but I made a grab  
7 for her. I could not in my mind understand why I was sitting  
8 so comfortably and she was shooting out of her seat. She just  
9 shot out pointed toes first, head -- hands over her head and  
10 she was gone. I don't know where she went. I made a grab and  
11 she was -- I missed here. Immediately, the lady to my left was  
12 sitting on the end of a seat. She started hollering and she  
13 was hollering for me to hold her, grab her. I grabbed her  
14 hand. Her name was Lucy. And in my mind, I thought, if I  
15 could hold on to her, I could pull her back into her seat  
16 because she was sliding fast and hard to her left. And I had  
17 no clue that anything was happening, other than she was sliding  
18 out of her chair and I couldn't figure out why. I tried to  
19 pull her back towards me, and then I all I knew is, I was in a  
20 washing machine agitating atmosphere where I was swimming for  
21 my life.

22           So whatever happened between the time Carol shot out  
23 of her seat and Lucy fell out of hers, then the next thing I  
24 knew was, I was swimming in the bow of the boat where I was  
25 sitting, and I was swimming pretty hard, and my both went to

1 the forward of me, which hit Plexiglas. I had both palms of my  
2 hands hard on that window and I tried to push hard, thinking I  
3 could push it open or break it or whatever. And when I  
4 couldn't move it, I hit again really hard. It pushed me  
5 backwards. As I pushed backwards, I looked up and I could see  
6 what appeared to be two colors of green, a dark green and light  
7 green, and in my mind I thought, this is it. I'm not getting  
8 out of here. And I had to make a decision, go for one color or  
9 the other and I chose the light green and that was a good  
10 choice. I popped up out of the water. When I popped up out of  
11 the water, there was actual bodies already floating face down,  
12 that I presume were already drowned. There was screaming,  
13 hollering, pleading, begging god to help them, screaming that  
14 they couldn't swim. I was absolute pandemonium.

15 I wasn't so scared at that point for my life, once I  
16 was out, because I was breathing. I didn't feel any injuries.  
17 I didn't feel hurt, but I knew that if I could just keep  
18 screaming at the top of my lungs for everybody to hold on to  
19 the boat, hold on to the boat, I think it helped reinforce,  
20 reinforce my own anxiety, because as an early Girl Scout  
21 leader, we were always taught, as you go over your canoe, you  
22 stay with your canoe. I remember screaming that repeatedly,  
23 and all I could see were eyes looking at me, begging for help,  
24 pleading for somebody to help them. I had a lady right next to  
25 me who kept saying she was going to die, she couldn't breathe,

1 and I kept looking her in the eye and saying, yes, you can, you  
2 can breathe. Breathe in through your nose, out through your  
3 mouth, and then I kept hollering, hold on to the boat.

4           There were no life jackets for us, not a one. I kept  
5 looking around because, having been on boats before, I expected  
6 something to float up, anything, something. There were hats,  
7 there were purses, there was shoes, but there was nothing  
8 nobody could grab, nothing for anybody to grab at that time.  
9 The boat was already hard to hold on to, because all had is a  
10 little lip of the boat, a small piece of wood the length of the  
11 boat, but it was greasy, it was hard to hold on to, very  
12 slippery. I remember somebody coming up from under the boat  
13 against my knees and into my groin, and I felt that I knew it  
14 was a head. And I thought, my god, somebody's under the boat.  
15 I wasn't secure enough to let go of my boat, but I remember  
16 following that head down, down along the ear and the neck and I  
17 grabbed the shirt and I gave one pull and that body came up,  
18 and I know who it was, his name was Max. And Max kept  
19 hollering, I can't, I can't see. And I said, Max, just grab  
20 the boat. Follow my arm. Grab the boat, grab the boat. And  
21 he was able to grab the boat, but he kept trying to grab  
22 another lady who was in his way, who was closer, and she kept  
23 screaming, let go of me. You're pulling me under. It was  
24 absolutely pandemonium.

25           When some boats finally came, those people who came



1 first on the scene were so -- I don't even know what words to  
2 describe. I think they were scared, they were frightened.  
3 They seen horror. They didn't know what to do. They just sat  
4 in their boats and none of them got close enough. I remember  
5 screaming at them, through us your floats. Throw us something  
6 so we can hold on it to. Throw us something. Call for help.  
7 It didn't look like anybody was doing anything. Finally,  
8 people started throwing floats, but they didn't throw them  
9 where anybody could reach, and not one float hit the boat that  
10 was upside down. Not one that I could see. I let go of the  
11 boat, and I know a couple other people let go of the boat, and  
12 we started swimming for jackets, but you'd get a jacket and  
13 you'd turn around towards the capsized boat, all you could see  
14 were these faces just begging you to please bring me a jacket.  
15 There was a whole lot of jackets and I could only get one at a  
16 time and didn't know who to give the jacket to, but they were  
17 all looking at you with such horror in their faces, just  
18 pleading to help them. We just kept grabbing jackets and  
19 trying to get it to the people that needed it most, but it was  
20 everybody. I was just -- so we kept grabbing jackets and  
21 trying to help as many people as we could.

22 I don't remember much after that except, we just kept  
23 grabbing jackets wherever we could. I would swim out and get  
24 two or three, but even the jackets were greasy. Those silky  
25 jackets or nylon jackets, they were covered with stuff and you

1    couldn't throw it, you could only push it. So I'd have one my  
2    one for myself for support, and gather three, four and then  
3    you'd bring them to somebody, and they'd be all gone. You just  
4    kept doing that over and over. I did it as long as I could and  
5    then I don't know who. But yes, I do know who. A boat  
6    pulled -- my husband found a boat and he was in a boat and they  
7    found me and they pulled me in there boat. I was a couple  
8    named Larry and Joyce Steinhart, and they had their boat there  
9    and they pulled me in their boat and that's how I got in.

10            But those people, later, after were on the shore and  
11    their bodies were being recovered, Mrs. Steinhart came up and  
12    talked with me, comforted me, and told me that she seen this  
13    accident from her boat, her and husband there, and they seen us  
14    make a turn and she told her husband, before we even went over,  
15    that boat's in trouble. Those people are not going to make it.  
16    Those are the words I remember that lady saying to me as sat  
17    there on the shore. And I did tell the first gentleman at the  
18    hospital, that took my report, what she said and asked that he  
19    be in contact with those people. So if he hasn't done that, I  
20    hope somebody in this recording contacts those people, because  
21    I don't know how close or how far they were, but they were able  
22    to see us and they watched it happen from a distance. Later,  
23    there was all kinds of stuff I could tell about. I don't know  
24    how much you want to know. I was safe at this point.

25            Q.    Okay. I actually, on a previous interview that we

1 had, I ended up actually receiving a phone call from  
2 Mr. Steinhart. So I am in the process of trying to make an  
3 appointment with him, in order for us to conduct a telephone  
4 interview.

5 A. He and his wife were in that both together and it was  
6 his wife --

7 Q. Right.

8 A. -- that spoke to me personally and said that she told  
9 him that we were in trouble, she could see it --

10 Q. Right.

11 A. -- before we went over.

12 Q. Right. And we'll go ahead and try to get her  
13 statement of what she actually saw. Everything that I was  
14 actually curious about is the life jackets that you keep  
15 referring to. Are they from the Ethan Allen or were they life  
16 jackets from other boats?

17 A. They weren't from -- there was no -- I never, ever  
18 seen a jacket or a float seat or a cooler or anything that you  
19 could get a hold of from the Ethan Allen, never nothing. The  
20 jackets that I kept retrieving from the water were what people  
21 were throwing in as the boats came. The boats would get close,  
22 but they were afraid to get too close, I think, because there  
23 was a liquid on the water. The boat was smoking. It was still  
24 running. I could hear that engine running. Actually, to me it  
25 sounded like the engine got louder. And the boat was upside

1 down.

2 Q. So what you're -- go ahead.

3 A. People were coming with their boats, but they came on  
4 the scene and it was so horrific, they so frightened, they  
5 didn't know what to do. I remember hollering at the people in  
6 the boats, throw us something, throw us something, throw us  
7 your life jackets. It took what seemed like a long time before  
8 the first person threw anything out. And then they started  
9 throwing jackets. But when they threw them, they didn't throw  
10 them so the people hanging on to the Ethan Allen could get  
11 them. Their boats weren't close enough. And I was retrieving  
12 jackets from the water by swimming out to them. I can swim, so  
13 I would swim out and get whatever anybody would throw to us,  
14 but other people were doing the same thing.

15 Q. Right. Do you consider yourself a good swimmer?

16 A. No, but I can tread water. I do swim a couple times  
17 a week. I'm not race swimmer, I'm not a competitive swimmer,  
18 but I can swim. I can keep myself afloat.

19 Q. Okay.

20 A. So I had a jacket. I did throw a couple right -- my  
21 husband would send them over to me, throw them to me, and then  
22 I would give them to people closer to me. And then -- until he  
23 got mad at me and said, for god's sakes, don't give them all  
24 away. Keep one for yourself. So I did put one of those  
25 square -- the ones you sit on, a square jacket with two little

1 white handles. I put that through my arm over my shoulder and  
2 I kept that for myself. And then I would paddle out and get  
3 whatever I could find and bring them back. But then the hard  
4 part was deciding who to give it to, as every face looked at  
5 you, just begging for one of the jackets that I had.

6 Q. Right. As far as with the boat smoking and the  
7 engine louder when it was still running, was the boat already  
8 completely under the water or --

9 A. No, the boat was upside down. The bottom of that  
10 boat is white, a nice paint job. And I can see that little  
11 lady that catapulted out next to me, her name was Carol, she --  
12 when I popped out, out of that boat, when I popped out and I  
13 knew I was safe, I could breathe, I looked up and Carol, that  
14 little lady, was sitting on the bow of the boat, not sitting,  
15 laying on the bow of the boat, hanging on. And it was slick,  
16 it was smooth, there was nothing for her to hang on, but it was  
17 sheer, sheer panic in her voice, because she kept screaming, I  
18 can't swim, god help me, god help me. She was on top of that  
19 boat. She was the only one on top of the boat. The rest of us  
20 were trying to hold on to that lip, that ledge, that small  
21 piece of -- you could get all five of your fingers on it and  
22 get a grip on it, but it was so slippery.

23 Q. Right. I know --

24 A. Plus, the boat was smoking and it was still running  
25 and was upside down, but it was still floating at that time.

1           Q.   Now, do you recall, at any time, when the smoke  
2 stopped or the engines stopped running?

3           A.   No, I can't tell you when that happened. All I can  
4 tell you is, I'd see the faces and I'd hear the screams over  
5 that. And my whole -- my whole thrust at that time was just  
6 trying to gather as many jackets as I could. And in doing so,  
7 I was actually pushing face-down bodies away from me, because I  
8 was swimming pretty much with one hand, holding on to my own  
9 jacket and trying to retrieve jackets. That's where my focus  
10 was, getting as many jackets as I could to try to give them to  
11 other people.

12          Q.   Okay. I have a question for you, a quick questions.  
13 Is your husband right there also?

14          A.   No, my husband's in the house. I think he's in the  
15 basement working on some stuff for --

16          Q.   Okay.

17          A.   -- our one granddaughter and our daughter here.

18          Q.   Right. Because I have an appointment with him at  
19 10:30 and I just want to -- wanted to know if he was right  
20 there or not.

21          A.   Well, we can get him. My daughter can go get him if  
22 you're done with me.

23          Q.   Well, we're not quite done yet --

24          A.   Okay.

25          Q.   -- but at some point, if she wouldn't mind getting

1 him, then we can go ahead and just continue on with the  
2 conversation after we're finished.

3 A. Okay, we can do that.

4 Q. But the lady, can you describe that a little bit  
5 better or in more detail, as far as -- that she was, you know,  
6 like, shot out of her seat?

7 A. Well, the only way I can describe it is, we were  
8 talking, we were laughing, we were sitting and we were crowded.  
9 So with a large lady on the end, this little girl next to me  
10 and myself, the three of us were on a bench against the rail in  
11 the bow of the boat. The only clue, my first clue, I close my  
12 eyes and I can still it happen, she hollered, ooh, like that.  
13 She couldn't believe what was happening to her, and she  
14 actually got shot off of her seat. She was a tiny girl and she  
15 was feet first, legs straight, hands over her head and her body  
16 was the shape of a pencil. She looked like a pencil going  
17 through the air.

18 Q. Right.

19 A. And she went -- and when I seen that movement, it was  
20 so abnormal, I made a grab, but I was way too late. I wasn't  
21 even looking at her when that happened. That was my very first  
22 clue and I was too slow to even visualize that the boat was in  
23 trouble. I just thought somehow she was falling. And then the  
24 lady to my left started to slide left, and she screamed and  
25 hollered for help. I was able to grab her right hand with my

1 both hands, and I hung on to her thinking, if I pulled hard  
2 enough on this Lucy, if I pulled her towards me, that she'd be  
3 okay. I didn't even know we were in danger at that point. I  
4 happened so fast. And when I -- I know I held on to Lucy. I  
5 hung on with both hands and got her back in her seat, and the  
6 next thing I know, I was in the water swimming.

7 Q. Now, can you tell me if Lucy -- if she was sitting in  
8 the aisle seat or by the window?

9 A. No, she was on the end of the aisle.

10 Q. Okay, got it.

11 A. The boat had a center aisle and there would be three  
12 seats on the left aisle and two seats on the right. Lucy was  
13 in the first seat that had two people and she was on the end.

14 Q. Okay.

15 A. The end of the aisle.

16 MS. BURER: Okay. I'm going to go ahead and turn it  
17 over to Steve.

18 BY MR. RIVENBURGH:

19 Q. Mrs. Mahalak, this is Steve Rivenburgh with the Park  
20 Police. You said that, early on, that you and your husband  
21 were, like, in the last four to get on board the vessel?

22 A. Yes, that's right.

23 Q. Okay.

24 A. We always tend to do that. We've gone on many trips  
25 with seniors, which they call -- it's been a joke through the



1 years. Because my husband is 69 and will be 70. I'm 67. I  
2 don't even keep track of my years, but they jokingly call us  
3 the kids on the trip, because most of the rest of them are in  
4 their 70s and 80s, and we always tend to hold back until  
5 everybody gets in and settled. And this day, when we came down  
6 the ramp, my husband had some misgivings, but I had no  
7 misgivings. It was such a magnificent day. I couldn't wait to  
8 get on board and go, but we were the last to board, which is  
9 not uncommon for us, and there were no two seats together,  
10 which didn't bother either of us, because that's always the way  
11 it is when you're last. So we had no misgivings, me sitting  
12 wherever they put me or told. And to this day, I don't know  
13 who recommended I go to the front, but that's what somebody  
14 said, Carole, go to the front. There's a small seat there. So  
15 it was plenty for me. And then he stood someplace else. He  
16 sat someplace else.

17 Q. Okay. While you were waiting in line to get on  
18 board, did you see the captain speaking to another captain or  
19 crew member?

20 A. Did I? No, because I was the last people. Actually,  
21 I came down the ramp, both my husband and I, with Max and his  
22 wife, Annie, who is a little handicapped. She was using a  
23 walker. And the approach down to the boat was a well made  
24 cement ramp, but we were walking slow and reassuring her and  
25 Max that they were fine. I did not talk to anybody, nor did I

1 see. I did see the captain on the boat when I boarded the  
2 boat. He was standing with one foot on his boat and one foot  
3 on the dock, greeting people as we boarded.

4 Q. Okay.

5 A. And I knew he was the captain by his dress.

6 Q. Okay.

7 A. And he was talking to both Max and Annie about  
8 whether they should or shouldn't take her little walker, and I  
9 think he was trying to tell them what to do with the walker.  
10 And I don't know what they decided to do with the walker. But  
11 I know, when we came on board, I felt that the two young  
12 ladies, the two sisters, chose to stay back because they  
13 thought there wasn't room, but in fact, there was room.  
14 Somebody else said there's still room for two more, and they  
15 chose to hold back.

16 Q. Okay. Do you recall if the bus driver was going to  
17 go on the cruise, also?

18 A. No, no, there was no plan for the bus driver, to my  
19 knowledge. The bus driver, to my knowledge, I don't know of  
20 any plan for that. I can't say. I never heard a discussion,  
21 but he -- I would think he wouldn't have even contemplated it  
22 because he dropped us off and there -- I'm sure he had to go  
23 move his bus. And his bus was parked up on the top of the  
24 hill. I don't think he could leave it there, but I can't say.  
25 I never heard any discussion. Occasionally on that trip he did

1 partake of some activities with us and others he did not.

2 Q. Okay. While you were sitting in the bow on your --  
3 on the cruise, did you happen to see any other vessels go by,  
4 either the same direction you were headed or the opposite  
5 direction?

6 A. Well, that's a good question. I don't remember any  
7 boat, certainly nothing big. I do remember other people  
8 commented about how many people there were on the lake, but it  
9 was just kind of generic. I don't know. I wasn't paying  
10 attention to that. Where I was, we were all focused on -- on  
11 these mansions. That's what we women in the front were all  
12 focused on. I can remember a big, long discussion about the  
13 Singer mansion.

14 Q. Okay.

15 A. I can't say for -- you know, about other boats.

16 Q. Okay. Did you ever happen to look out the right side  
17 of the vessel to --

18 A. Well, yes, we -- I tried to look out. I didn't look  
19 very well because I don't turn so good. We went around a  
20 little island very nice and slow, and I remember looking at  
21 little rustic-type cabin on that island. We circled around  
22 then and then got back on the -- on the course where we were  
23 looking at the shoreline, but that's all I can tell you about  
24 other boats and looking out the right side.

25 Q. Okay. Did you see anybody standing up to take

1 pictures or to get a better look? Say they were sitting on the  
2 right side and they wanted to get a better look out the left  
3 side of the vessel.

4 A. No, sir, I never seen a soul stand up, nobody. I  
5 never seen -- we all had cameras, but I never seen -- I had  
6 cameras on my lap, the little disposal cameras, but I never  
7 seen anybody stand up at any given time on the entire trip.

8 Q. Okay. Did you see the -- any motions that the  
9 captain was going through at the back of the vessel?

10 A. No, sir. I seen the captain when I boarded the boat,  
11 but I never seen -- I never stood up, I never looked back  
12 there, I was simply focused on the bow of the boat where both  
13 of us were there enjoying our day. I never looked back and my  
14 husband. I knew where he was. I could hear him visiting with  
15 his -- the people that were near him, and I was visiting with  
16 the people in the bow. I never did get up and look back at all  
17 at any time on that trip.

18 Q. Okay. Do you -- I know you said a couple times about  
19 Carol, you know, just catapulting right out of the seat.

20 A. Oh, it was so fast -- to this day, in my mind, I  
21 couldn't rationalize it when it happened, because she moved so  
22 quick and so fast and she was -- and I say she looked like a  
23 pencil, that's what she looked like. Of course, hear me when I  
24 tell you that she's a tiny person and she's light-weight  
25 because she moved fast, but why? That all -- it was in all

1 those minutes or seconds, whenever all this was transpiring.  
2 To this day, I can't figure out why she moved so fast, but she  
3 looked to me like a pencil, because even her toes were straight  
4 out and her legs were straight. And I thought, if she didn't  
5 slide -- her butt didn't slide off of the bench. Her butt  
6 didn't slide off, her whole body shot off.

7 Q. Okay. Did --

8 A. And that was my very, very first inkling. And even  
9 then I didn't realize we were in trouble. I just thought for  
10 some reason she was falling out of her bench, until Lucy  
11 started to scream and holler for help, and she was sliding to  
12 her left.

13 Q. Okay. You don't --

14 A. And it happened so, so fast.

15 Q. You don't recall any movement from the boat at all  
16 that would cause that?

17 A. No, sir, nothing. I never felt nothing. The only  
18 thing I seen and the very first thing I seen was Carol sliding  
19 and going away from me. And then, when she left, I had no  
20 inkling because we were -- our bodies, we were tight. We were  
21 close. We were, you know, cheek to cheek, so to speak, on that  
22 seat. So -- but I never felt her wiggle or squiggle, nothing  
23 like that, nothing. The first motion was her just shooting  
24 right out of her seat, and I couldn't figure it out then and I  
25 can't figure out why that woman moved so fast and in such a

1 position.

2 MR. RIVENBURGH: Okay. I thank you. Thank you very  
3 much.

4 MS. MAHALAK: And your name is R-e-i-s-e-n-b-u-r-g?

5 MR. RIVENBURGH: Well, you got some of it. It's a  
6 good old German, Dutch, French, English, Irish, American Indian  
7 name.

8 MS. MAHALAK: Okay.

9 MR. RIVENBURGH: And it's spelled R-i-v as in Victor,  
10 e-n-b-u-r-g-h.

11 MS. MAHALAK: Well, I was a long way off. You were  
12 very nice. I had never got that right.

13 MS. BURER: Well, thank you so much for your  
14 participation in this interview.

15 MS. MAHALAK: Mariette, do I have -- could I ask a  
16 couple of questions or is this not a good time?

17 MS. BURER: No, you can go ahead and ask.

18 MS. MAHALAK: Did you see the boat after it was  
19 brought up? Did you see the Ethan Allen?

20 MS. BURER: Yes, I did.

21 MS. MAHALAK: Can you tell me if there were any  
22 floatation devices, anything floating when that boat came up?  
23 Did anything float on the water when the boat came up?

24 MS. BURER: I do not know.

25 MS. MAHALAK: Have you seen any movies of that thing

1 being brought up?

2 MS. BURER: No, I have not.

3 MS. MAHALAK: Did you see the actual boat come up?

4 MS. BURER: I have actually seen the Ethan Allen when  
5 it was stored nearby here.

6 MS. MAHALAK: And you can't tell me if anybody has  
7 questioned whether or not there were floatation devices loose  
8 and floating around once that boat was brought up?

9 MR. RIVENBURGH: Yes, Mrs. Mahalak, this is  
10 Major Rivenburgh again. I was at the scene when the vessel was  
11 raised and there were some personal floatation devices that did  
12 float up with the vessel.

13 MS. MAHALAK: Okay, thank you. I wondered that.  
14 Because it just seemed to us, in that panic moment that -- and  
15 there was no doubt in my mind they might've been on there, but  
16 why didn't they come out, why didn't they release themselves  
17 from the shaking of the boat and the people -- I felt like I  
18 was in an agitating washing machine up there in the bow. I  
19 would think something would loosen those jackets up so the door  
20 would open wherever they were stored and they would come out  
21 and we could use them, but nothing came out, nothing. Can you  
22 help me understand where they were and why they didn't come  
23 loose, sir?

24 MR. RIVENBURGH: That's one of the items that we're  
25 looking at at this time. I don't -- I don't know if I can say

1 any more about it at this point. It's one of those areas that  
2 we're --

3 MS. BURER: Looking into.

4 MR. RIVENBURGH: -- looking into.

5 MS. MAHALAK: And, Mariette, I have a phone number.  
6 If I wanted to contact you, I could get you at, is that  
7 correct?

8 MS. BURER: That is correct. And let me give you my  
9 office number. Do you have a pen and paper with you?

10 MS. MAHALAK: Yes, ma'am.

11 MS. BURER: It's [REDACTED]. And my -- what I do  
12 is, I telecommute on Mondays, but I'm actually in the office  
13 Tuesday through Friday.

14 MS. MAHALAK: Okay.

15 MS. BURER: Okay. So you can call me anytime.

16 MS. MAHALAK: Can you tell me if there are any  
17 survivors still in the hospital?

18 MS. BURER: No, they all are at home.

19 MS. MAHALAK: They're all released?

20 MS. BURER: Yes.

21 MS. MAHALAK: My other question is, who else has  
22 access to my statement that I'm giving to you and  
23 Mr. Rivenburgh?

24 MS. BURER: Our team with the NTSB has access to it,  
25 so that would consist of all the people that actually launched



1 to this particular accident on the Ethan Allen.

2 MS. MAHALAK: Um-hum. Is there anything that you  
3 know that I, as an individual, having been through this  
4 tragedy, what I, as an individual, can do to promote better  
5 safety with those jackets? Because if we had jackets on or  
6 jackets accessible -- but it happened so fast. Maybe if we had  
7 them, it wouldn't have helped. I don't know. But there must  
8 be some way that we can use this terrible tragedy to help --  
9 something like this from happening again.

10 MS. BURER: Right.

11 MS. MAHALAK: What can we as individuals do? How can  
12 I do anything, get something started so that -- I've never done  
13 any law changing or anything, but there must be something we  
14 survivors can do to help prevent this from happening again.

15 MS. BURER: Right. I'm going to actually stop the  
16 recording right now, okay?

17 MS. MAHALAK: All right.

18 MS. BURER: Hold on.

19 (Whereupon, the interview in the above-entitled  
20 matter was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the  
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:           Investigation of MV Ethan Allen  
                                  Lake George, New York  
                                  October 2, 2005  
                                  Interview of Carole A. Mahalak

DOCKET NUMBER:           DCA 06 MM 001

PLACE:                     Washington, D.C.

DATE:                     October 11, 2005

was held according to the record, and that this is the  
original, complete, true and accurate transcript which has been  
compared to the recording accomplished at the hearing.

\_\_\_\_\_  
David Martini  
Transcriber